

Remarks

I. Claims Status

Claims 17-52 are pending.

Claims 17-52 are rejected.

No claims are currently amended.

II. Claim Rejections-35 USC §103

Claims 17-52 are rejected under 35 USC §103(a) as being unpatentable over Ruiz US 6,302,877 in view of Youssefi *et al.* US 6,814,729. Applicant respectfully traverses this rejection.

Youssefi '729 was filed on June 27, 2002. The instant application under rejection claims priority to US Provisional Serial No. 60/392,510 filed on June 27, 2002. Therefore, Youssefi '729 is not valid prior art that can be cited against applicant.

In a first, non final office action mailed on 06/06/2006, Ruiz '877 was cited against then pending claims 1-4 and 10 under 35 USC §102(e); and against claims 5-9 and 11-14 under 35 USC §102(e) and, alternatively, under 35 USC §103(a). Claim 15 was rejected under 35 USC §103(a) in view of Ruiz '877 combined with Youssefi '729.

Applicant, in its response filed on 08/10/06, canceled pending claims 1-16 and replaced them with currently pending claims 17-52. Concurrently, applicant provided detailed arguments in support of the patentability of applicant's claims over Ruiz '877. The content of applicant's responses filed on 08/10/06 and 11/15/06 (response to notice of non compliant amendment) are hereby incorporated by reference in their entireties.

The outstanding non final office action makes no reference to applicant's previously filed arguments in support of the patentability of claims 17-52 in view of Ruiz '877.

Applicant respectfully submits that applicant's comments as set forth in the response filed on 08/10/06 fully address the examiner's instant basis of rejection of claims 17-52.


III. Telephone Interview Summary

Applicants thanks the examiner for the telephone interview conducted on 4/24/07. The examiner indicated that applicant's previous response, discussed above, sufficiently distinguish applicant's method claims 17-43 from Ruiz; therefore, Ruiz will be removed as a reference against these claims.

Accordingly, applicant respectfully requests the Examiner's reconsideration of the application and allowance of the pending claims. No extension of time is necessary to make this Response timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. §1.136(a) as necessary to make this Amendment timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 50-1546.

Respectfully submitted,

Date: May 3, 2007



William Greener
Registration No. 38,165
10 Brown Rd., Suite 201
Ithaca, NY 14850-1248